

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 COME-00 EB-08 INR-10
LAB-04 NSAE-00 SIL-01 DODE-00 PM-05 H-01 L-03
NSC-05 PA-01 SP-02 SS-15 ICA-11 OMB-01 TRSE-00
IO-13 /098 W
-----039290 242013Z /70

R 241744Z JUL 78
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 5473
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY OSLO
AMEMBASSY PARIS
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BRUSSELS ALSO FOR UCEEC

E. O. 11652: N.A.
TAGS: PINT, SP
SUBJECT: CONGRESS COMPLETES CONSTITUTION: SOME POST-
SCRIPTS

REF: MADRID 8408

1. SUMMARY: THE CONGRESS OF DEPUTIES' JULY 21 APPROVAL OF
THE CONSTITUTION PRODUCED NO SIGNIFICANT SURPRISES. UCD,
THE PSOE, THE PCE AND THE CATALAN MINORITY ARE FIRMLY ON
BOARD, WHILE FRAGA'S AP AND THE BASQUE PNV MADE IT CLEAR
THAT THEY REMAIN TO BE CONVINCED. SENATE CONSIDERATION
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OF THE DOCUMENT MAY BEGIN DURING THE WEEK OF AUGUST 7.
END SUMMARY.

2. THE 258 YEA'S. THOSE VOTING FOR THE CONSTITUTION IN
THE JULY 21 CONGRESS OF DEPUTIES PLENARY PREDICTABLY
INCLUDED UCD, THE PSOE, THE PCE, AND THE CATALAN MINORITY.
THIS OVERWHELMING SUPPORT POINTS TO SMOOTH SAILING FOR

THE DOCUMENT IN THE SENATE, WHERE THESE GROUPS, PRIMARILY UCD AND THE PSOE, REPRESENT A CLEAR MAJORITY OF THE MEMBERSHIP. THE PRESCRIBED 10 DAYS FOR THE PRESENTATION OF AMENDMENTS PRIOR TO THE OPENING OF SENATORIAL DEBATE BEGIN JULY 27. CONSEQUENTLY, SENATE COMMITTEE CONSIDERATION WILL BEGIN, AT THE EARLIEST, DURING THE WEEK OF AUGUST 7.

3. THE 2 NO'S. THE FACT THAT THE 2 DEPUTIES WHO VOTED AGAINST THE CONSTITUTION--LETAMENDIA OF THE BASQUE FAR-LEFT (EE) AND SILVA MUNOZ OF CONSERVATIVE AP--COULD SCARCELY HAVE BEEN FARTHER APART IN THEIR POLITICAL VIEWS IS ITSELF FURTHER TESTIMONY TO THE BROAD PARLIAMENTARY SUPPORT THE DOCUMENT ENJOYS. LETAMENDIA PREDICTABLY VOTED "NO" BECAUSE THE CONSTITUTION DID NOT GO FAR ENOUGH IN GUARANTEEING BASQUE "SELF-DETERMINATION," WHILE SILVA, CASTING A "VOTE OF CONSCIENCE" (AS EXPLAINED IN A POST-VOTE PUBLIC STATEMENT), OPPOSED THE DRAFT FOR WHAT WAS IN EFFECT THE OPPOSITE REASON, I. E., IT THREATENED NATIONAL UNITY BY GOING TOO FAR ON THE AUTONOMY QUESTION, PARTICULARLY IN EMPLOYING THE TERM "NATIONALITIES."

4. THE 14 ABSTENTIONS. 12 OF THE 14 ABSTAINERS WERE THE REMAINING AP DEPUTIES PRESENT IN THE CHAMBER. IN EXPLAINING AP'S ABSTENTION, FRAGA PRAISED SUBSTANTIAL PARTS OF LIMITED OFFICIAL USE

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THE DOCUMENT, BUT ADDED THAT THERE REMAINED "SERIOUS DOUBTS" ABOUT THE DRAFT, PARTICULARLY WITH REGARD TO THE ARTICLES ON REGIONAL AUTONOMY, EDUCATION, POPULAR CONSULTATIONS (INSUFFICIENT PROVISION FOR REFERENDUMS), AND THE "AMBIGUOUS" PROVISIONS DEALING WITH THE ECONOMIC MODEL. "...WE MAINTAIN THE HOPE THAT (CHANGES WROUGHT BY) THE UPPER HOUSE WILL PERMIT US TO VOTE IN FAVOR OF THE CONSTITUTION," HE CONCLUDED. THE OTHER TWO ABSTENTIONS WERE ON THE PART OF:

--CATALAN REPUBLICAN HERIBERT BARRERA, WHO HAS MADE IT CLEAR ALL ALONG THAT, IN ACCORDANCE WITH HIS SUPPORT FOR A REPUBLIC, HE OPPOSED THE ESTABLISHMENT OF A "PARLIAMENTARY MONARCHY." (IT IS A PLEASANT SURPRISE, IN FACT, THAT BARRERA DID NOT VOTE "NO").

--CATALAN RENEGADE JOAQUIN ARANA, A FORMER MEMBER OF THE SOCIAL DEMOCRATIC PSC-R WHO RAN ON THE FUSION CATALAN DEMOCRATIC PACT (PDC) TICKET LED BY JORDI PUJOL'S CDC. ARANA LATER BROKE WITH PSC-R, HOWEVER, AND AFTER AN EXTENDED POLITICAL IMBROGLIO WITH THE PSC-R LEADERSHIP HE WOUND UP IN BARRERA'S ERC. HE APPARENTLY ABSTAINED

OUT OF DISCIPLINE WITH BARRERA, ALTHOUGH IN A WEEKEND INTERVIEW HE ATTRIBUTED HIS ACTION TO THE LACK OF "FULL OPEN DEBATE" ON ALL SECTIONS OF THE CONSTITUTION.

5. THE ABSENTEES. OF THE 76 DEPUTIES WHO WERE NOT PRESENT FOR THE VOTE ON THE CONSTITUTION, THE ONLY ONES WHOSE ABSENCE WAS POLITICALLY SIGNIFICANT WERE THE DEPUTIES OF THE BASQUE PNV. PNV LEADER JAVIER ARZALLUZ EXPLAINED THAT HIS GROUP ABSENTED ITSELF BECAUSE IT COULD NOT VOTE "YES," AND DID NOT WANT TO ABSTAIN OR VOTE "NO." MOREOVER, IT WAS "UNINSTRUCTED," SINCE THE

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GOVERNING BODY OF THE PNV HAD NOT MADE A DECISION ON THE CONSTITUTION. AGREEMENT BETWEEN THE GOVT AND THE PNV APPEARED TO HAVE BEEN REACHED THREE DIFFERENT TIMES DURING THE WEEK PRECEDING THE CONGRESS'S APPROVAL OF THE CONSTITUTION, BUT EACH TIME THE GOVT BACKED AWAY FROM AN ACCORD WHICH IT HAD SEEMED TO ACCEPT. IN THE END THE PNV GOT PART OF WHAT IT WANTED--THE INCLUSION IN ARTICLE 140 OF THE PROVISION FOR "TRANSFERENCES," NOT JUST "DELEGATIONS" OF CENTRAL GOVT POWERS TO THE REGIONS--BUT

POSITIONS ON THE ADDITIONAL DISPOSITION CONCERNING FORMAL RIGHTS COULD NOT BE RECONCILED.

6. COMMENT: BOTH FRAGA AND ARZALLUZ, FROM THEIR VERY DIFFERENT PERSPECTIVES, WERE CAREFUL TO LEAVE THE DOOR LIMITED OFFICIAL USE

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OPEN TO EVENTUAL SUPPORT OF THE CONSTITUTION. BUT WHETHER THERE WILL BE SUFFICIENT CHANGES IN THE DOCUMENT DURING SENATE CONSIDERATION TO ENTICE THEM THROUGH THAT DOOR REMAINS TO BE SEEN. FRAGA REMAINS CAUGHT IN THE DILEMMA OF SUPPORTING THE VAST MAJORITY OF THE DOCUMENT, BUT ENTERTAINING SERIOUS RESERVATIONS ABOUT PARTS OF IT. HE ALSO IS ATTEMPTING TO EXTRACT WHAT POLITICAL MILEAGE HE CAN WITH HIS EXPRESSED RESERVATIONS WITHOUT POLITICALLY ISOLATING HIMSELF AND HIS PARTY. THE PNV, FOR ITS PART, WILL HAVE TO DECIDE WHETHER THE AUTONOMY BOTTLE IS HALF EMPTY OR HALF FULL, AND IT UNFORTUNATELY MAY HAVE TO MAKE THIS DECISION WITH THE BAD TASTE LEFT IN ITS MOUTH BY THE GOVT'S VACILLATING NEGOTIATING PERFORMANCE DURING THE WEEK LEADING UP TO THE CONGRESS'S APPROVAL OF THE CONSTITUTION. TODMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTITUTIONAL AMENDMENTS
Control Number: n/a
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Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
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Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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TAGS: PINT, SP
To: STATE
Type: TE
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